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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,997	10/26/2000	Hyun-Jung Shin	Q60816	3463

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SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037-3213

EXAMINER

CHANG, WEI H

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 12/03/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/695,997

Applicant(s)

SHIN ET AL.

Examiner

Wei H. Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

Referring to Fig.'s 2A-D, (voice mailbox) only labeled on the VMS side. The limitation of "the voice mailbox of the user mobile telecommunication terminal" must be shown or be canceled from the claim(s). No new matter should be entered.

Correction is required.

Specification

2. Specification is objected to because of the following informality:

P.31, lines 2-3 read "- - - a short message indicating the indicating the arrival of - - -." This "indicating the indicating" phrase is unclear.

Correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C.102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 5, 11, 13, 15-16, &18-19** are rejected under 35 U.S.C. 102(b) as being anticipated by Gallant et al. (US Patent 5,802,466 published Sep. 1, 1998).

To claims 1 & 15, Gallant teaches a voice mail system for a mobile terminal (Col.3, lines 33-35 with Fig.1) using a short message (Col.4, lines 38-41 with Fig.1, #103) and comprising: (a) accessing, receiving, and outputting voice messages to a user (It is inherent since these are the must steps for a subscriber to have the messaging service); (b) sending (It is inherent since this sending must occur before the user deletes the voice message) user input of delete messages (Mobile subscriber deletes voice messages, col.7, lines 32-35); (c) receiving a short message of voice message status change based on (b) (It is inherent since this short message is sent out from source end VMS and must be received at this destination end. VMS sends five exemplary selected message status to PCD, col.5, lines 16-22) and; (d) modifying the voice messages status based on (c) (Status icon indicates the mailbox state change, col.7, lines 5-7 with Fig.3A, lines 28-29 with Fig.3b, lines 42-43 with Fig.3c, lines 37-39 with Fig.4, col.8, lines 6-9 with Fig. 5).

To claims 5 &16, Gallant further teaches: (a) sending voice messages to a mobile (The subscriber retrieves the messages; col.1, lines 47-48}, (c) changing the voice message status based on user delete commands (Mobile subscriber deletes voice messages, col.7, lines 32-35), and (d) sending the mobile a short message of message status (VMS sends five exemplary selected message status to PCD; col.5, lines 16-22).

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Gallant does not expressly teach: Changing message status upon user store command in (c). It is inherent that this must exist as stated to claims 1 & 16 above.

To claim 11 & 18, Gallant teaches a voicemail system, as stated to claims 1 & 15 above, for a mobile terminal comprises: (a) receiving user input of voice messages modifying information (It is inherent since a mobile terminal must be capable to receive user inputs before sending it to the voicemail server for execution; col.7, lines 32-35. And the Examiner sees the delete command is an input of voice messages modifying information); (b) modifying the voice messages information upon (a) (It is inherent since the user needs to key in the message modifying information before sending the request to voicemail sever and the Examiner sees this action is a kind of modifying the voice messages information); and (c) forming a short message of voice messages modifying information (It is inherent since the forming of a short message must before its sending; col.7, lines 32-35. And the Examiner sees the delete command is in a form of short message; and (d) sending the short message in (c) to voicemail sever (It is inherent since the delete command must be sent to the voicemail server before its execution; col.7, lines 32-35)

To claim 13 & 19, Gallant teaches a voicemail system, as stated to claims 1 & 15 above, for a voicemail server comprising: (a) receiving short messages of voice message modifying information (It inherent since the voicemail server must receive it before executes a user delete command; col.7, lines 32-35. And the Examiner sees this delete command is a voice message modifying information in a form of short

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message and (b) changing the voice message states upon (a) (It is inherent since the states of the voice messages being deleted changes from exist to non-exist.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 2-3, 6-7, 9, & 17** rejected under 35 U.S.C. 103(a) as being unpatentable over Gallant et al. (US Patent 5,802,466 published Sep. 1, 1998) and further in view of Alanara (US Patent 5,604,921 published Feb. 18, 1997).

To claim 9 & 17, Gallant teaches a voicemail system, as stated to claims 1 & 15 above, for a voicemail server comprising: (a) receiving new voice messages (Message left by a caller received, col.4, lines 38-41) and (d) sending the short message of new messages to mobile terminal (Col.4, lines 51-52).

Gallant does not teach using message ID's in (b) assigning and storing message ID to new messages and (c) forming a short message with new message ID's and.

However, Alanara teaches using message ID (Col.5, lines 24-26 with Fig.2, #1). It is inherent that: (b) assigning and storing message ID to new messages must be exist since ID needed be assigned and stored before be used.

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Therefore, it would have been obvious at the time of this invention was made to one skill in the art, to modify Gallant with Alanara to use message ID's in a short message, to allow addressing the whole message before processing (Col.5, lines 29-32).

To claims 2 & 6, Gallant, as applied to claims 1 & 15 above, does not teach assigning message ID's to voice messages. Gallant does teach reporting message deletion (Becomes empty; col.5, line 20).

However, Alanara teaches using message ID (Col.5, lines 29-32 with Fig.2, #1) to facilitate message processing. It is inherent that a message ID is assigned to this desired messaged beforehand.

Therefore, it would have been obvious at the time of this invention was made to one skill in the art, to modify Gallant with Alanara to put the deleted message ID's in a short message notification to allow addressing the whole message before processing (Col.5, lines 29-32).

To claims 3 & 7, Gallant, as applied to claims 1 & 15 above, does not teach assigning message ID's to voice messages. Gallant does teach reporting new message (Becomes un-empty; col.5, lines 19-20).

However, Alanara teaches using message ID (Col.5, lines 29-32 with Fig.2, #1) to facilitate message processing. It is inherent that a message ID is assigned to this desired messaged beforehand.

Therefore, it would have been obvious at the time of this invention was made to one skill in the art, to modify Gallant with Alanara to put the new message ID's in a

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short message notification to allow addressing the whole message before processing (Col.5, lines 29-32).

5. **Claims 4, 8, 10, 12, &14** rejected under 35 U.S.C. 103(a) as being unpatentable over Gallant et al. (US Patent 5,802,466 published Sep. 1, 1998) in view of Alanara (US Patent 5,604,921 published Feb. 18,1997) and further in view of Houde et al (US Patent 5,920,822 published Jul. 6, 1999).

To claims 4, 8, 10, 12, &14, Gallant as modified by Alanara to claims 2, 6, 9, 11, and 13 above respectively, do not teach using short message service point-to-point type bearer data field.

However, Houde teaches using short message service point-to-point type (Col.1, lines 59-61 with Fig.2, #32) bearer data field (Col.2, lines 4-8 with Fig.2, #36).

Therefore, it would have been obvious at the time of this invention was made to one skill in the art, to have Gallant, as modified by Alanara, further modify with Houde to use a short message service point-to-point type bearer data field, to conform to the teleservice and air interface type (Col.3, lines 8-10).

Conclusion

6. The prior arts made of record and not relied upon are considered pertinent to applicants' disclosure:

Allen et al. (US Patent No, 5,313,515) disclose a message notification for mobile and base station.

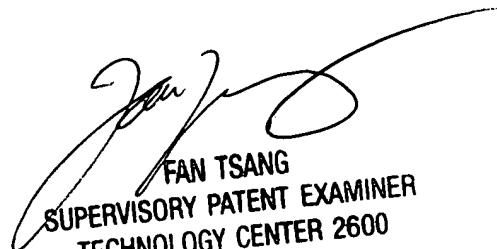
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Kasper et al. (US Patent No. 5,177,780) disclose a cellular phone voice mail notification method.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wei H. Chang whose telephone number is (703)-305-0567. The examiner can normally be reached on Monday through Friday from 9:00 to 18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang can be reached on (703)-305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Wei Henry Chang
November 22nd, 2004